HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

Writ Petition No. 5647 of 2007

Between:

M/s Harika Resins Pvt. Ltd.,
Vijayawada

…….. Petitioner

And

The Commissioner of Customs and
Central Excise-cum-Adjudicating Authority,
Central Revenue Buildings,
Kannavari Thota,
Guntur

……. Respondent

:: **O R D E R** ::

Counsel for the petitioner : Shri M.V.J.K. Kumar

Counsel for the respondent : Shri A. Rajashekar Reddy

19.04.2007

Per G.S. SINGHVI, CJ

In this petition, the petitioner has made the following substantive prayer:

> " For the reasons stated in the accompanying affidavit, the petitioner prayed that this Hon'ble Court may be pleased to issue an appropriate writ, order or direction particularly in the nature of Writ of Mandamus directing the Commissioner of Central Excise, Guntur to consider the request of the petitioner for supply of the unsupplied portion of the relied upon documents in connection with the adjudication proceedings in case No.V/39/15/89/05-Adj and V/39/15/95/05-Adj in terms of the petitioner's request dt.07.03.2007, 21.09.2006,

02.05.2006, 27.03.2006, 02.12.2005 and provide an opportunity to the petitioner company to cross examine the balance of the witnesses in terms of the letter of the respondent dated 01.12.2006 and accordingly conclude the proceedings in accordance with law "

After arguing the case for some time and realising that this Court is not inclined to entertain his client's prayer, Shri M.V.J.K. Kumar, learned counsel for the petitioner made a request that his client may be permitted to withdraw the writ petition.

Shri A. Rajashekar Reddy, learned Assistant Solicitor General says that he does not have any objection.

In view of the above, the writ petition is dismissed as withdrawn.

As a sequel to dismissal of the writ petition as withdrawn, W.P.M.P.No. 7209 of 2007 filed by the petitioner for interim relief is disposed of as infructuous.

G.S.SINGHVI, C.J.

C.V.NAGARJUNA REDDY, J.

19.04.2007
ksld